

REMARKS

Applicants would like to thank the Examiner for indicating that claims 67-74, 76-83 and 92-102 are free of the prior art, and claims 94-100 and 102 are allowed. Claims 63, 67-84 and 92-102 are present and active in the application.

Claim 63, and claims dependent thereon, specify accelerating a first stream comprising a first liquid; vibrating the first stream, to form particles; and solidifying the particles. By accelerating the stream, it becomes narrower, allowing for the formation of particles having a smaller diameter than the stream.

The rejection of claims 63 and 75 under 35 U.S.C. § 102, over Peschka et al. is respectfully traversed. Peschka et al. does not describe accelerating a stream.

Peschka et al. describes a method for producing small metal balls approximately equal in diameter. In this method a continuous stream of liquid metal is subjected to compressional vibrations. The droplets formed are cooled, in order to solidify them. There is neither a description nor a suggestion to accelerate the stream.

Claims 63 and 75 include accelerating a first stream. The accelerating narrows the stream, allowing for the formation of particles having a smaller diameter than the stream. Peschka et al. neither describes nor suggests accelerating the stream. Accordingly, Peschka et al. does not anticipate, nor render obvious, claims 63 and 75. Withdrawal of this ground of rejection is respectfully requested.

The rejection of claim 77 under 35 U.S.C. § 112, first paragraph is respectfully traversed. Claim 76, from which claim 77 depends, includes the phrases "the nozzle", "an average diameter" and "the particles", which provide sufficient antecedent basis for claim 77. Furthermore, claim 76 depends from claim 75, so any antecedent basis which could be provided by claim 75 is also provided by claim 76. Withdrawal of this ground of rejection is respectfully requested; however, if the Examiner believes that claim 77 does not have sufficient antecedent basis applicants request that the Examiner contact the

undersigned to authorize any changes necessary to provide sufficient antecedent basis.

The objection to claim 84 is respectfully traversed. Claim 84 includes "step for" language, and is intended to invoke 35 U.S.C. § 112, sixth paragraph ("An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof."). See M.P.E.P. § 2181. Accordingly, claim 84 is narrower than claim 63, and is not a duplicate. Withdrawal of this objection is respectfully requested.

All of the grounds raised in the present Office Action for rejecting the application are believed to be overcome or rendered moot based on the remarks above. Thus, it is respectfully submitted that all of the claims are in form for allowance, and such action is respectfully requested. Should the Examiner feel a discussion would expedite the prosecution of this application, the Examiner is kindly invited to contact the undersigned at (312) 876-1400.

Respectfully submitted,



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